

18W

MAR 22 2005

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number

PTO/SB/17i (11-04)  
Approved for use through 7/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>PROCESSING FEE</b> <b>Under 37 CFR 1.17(i)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)  Send completed form to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	10/849,517-Conf. #7134
	<b>Filing Date</b>	May 20, 2004
	<b>First Named Inventor</b>	Akihiro Sano
	<b>Art Unit</b>	N/A
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	H6808.0056/P056

Enclosed is a paper filed under 37 CFR 1.48 that requires a processing fee (37 CFR 1.17(i)).  
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. \_\_\_\_\_ :  
☐ Processing fee under 37 CFR 1.17(i) ☒ Any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

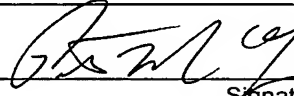
- ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.  
☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130**

**Fee Code 1808 for all,  
Except for §1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) – for processing a non-itemized fee deficiency based on an error in small entity status.  
§ 1.41 – for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by §1.63, except in provisional applications.  
§ 1.48 – for correcting inventorship, except in provisional applications.  
§ 1.52(d) – for processing a nonprovisional application filed with a specification in a language other than English.  
§ 1.53(b)(3) – to convert a provisional application filed under § 1.53(c) into a nonprovisional application under §1.53(b).  
§ 1.55 – for entry of late priority papers.  
§ 1.99(e) – for processing a belated submission under § 1.99.  
§ 1.103(b) – for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).  
§ 1.103(c) – for requesting limited suspension of action, request for continued examination (§ 1.114).  
§ 1.103(d) – for requesting deferred examination of an application.  
§ 1.217 – for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.  
§ 1.221 – for requesting voluntary publication or republication of an application. **Fee Code 1803**  
§ 1.291(c)(5) – for processing a second or subsequent protest by the same real party in interest.  
§ 1.497(d) – for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.  
§ 3.81 – for a patent to issue to assignee, assignment submitted after payment of the issue fee.

 _____ Signature	<u>35,947</u> _____ Mark J. Thronson Typed or printed name	<u>March 22, 2005</u> _____ Date
		<u>33,082</u> _____ Registration No., if applicable



Docket No.: H6808.0056/P056  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Akihiro Sano et al.

Application No.: 10/849,517

Confirmation No.: 7134

Filed: May 20, 2004

Art Unit: 2858

For: MASS SPECTROMETER SYSTEM

Examiner: Not Yet Assigned

STATEMENT UNDER 37 C.F.R. § 1.48(a)(2)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Toshiyuki Yokosuka, a person being added as an inventor in the above-captioned application, hereby state that the error in inventorship occurred without deceptive intention on my part.

Toshiyuki Yokosuka

Toshiyuki Yokosuka



Docket No.: H6808.0056/P056  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Akihiro Sano et al.

Application No.: 10/849,517

Confirmation No.: 7134

Filed: May 20, 2004

Art Unit: 2858

For: MASS SPECTROMETER SYSTEM

Examiner: Not Yet Assigned

**PETITION TO CORRECT INVENTORSHIP**  
**PURSUANT TO 37 C.F.R. § 1.48(A)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.48(a), applicant hereby petitions to correct the inventorship of the above-identified application by adding Toshiyuki Yokosuka as a co-inventor with those named originally.

Attached is a statement from the person being added, namely Toshiyuki Yokosuka, that the error in inventorship occurred without deceptive intention on his part.

Also attached hereto is a substitute Declaration and Power of Attorney for Patent Application, signed by all seven inventors, which meets the requirements of 37 C.F.R. § 1.63.

Also attached is payment by credit card (Form 2038) of the processing fee of \$130.00 set forth in 37 C.F.R. § 1.17(i).

Also attached is the written consent of the assignee, Hitachi, Ltd., including a

03/24/2005 MBEYENE1 00000045 10849517

01 FC:1464

130.00 0P

DSMDB.1862036.1

Application No.: 10/849,517

Docket No.: H6808.0056/P056

statement under 37 C.F.R. § 3.73(b).

The issuance of a Communication confirming that the inventorship has been corrected to add Toshiyuki Yokosuka as a co-inventor is respectfully requested.

Dated: March 22, 2004

Respectfully submitted,

By 

Mark J. Thronson

Registration No.: 33,082

Peter McGee

Registration No.: 35,947

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant



**PATENT APPLICATION: CONSENT OF ASSIGNEE;  
TO CORRECTION OF INVENTORSHIP**

Docket Number (Optional)  
H6808.0056/P056

This is part of the Petition to Correct Inventorship under 37 C.F.R. § 1.48(a).

First Named Inventor

Akihiro Sano

Patent Application Serial No.

10/849,517

Filing Date

May 20, 2004

Title of Invention

MASS SPECTROMETER SYSTEM

1. ☒ Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)

2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of every existing assignee of the originally named inventors is submitted with this Petition to Correct Inventorship.

The sole assignee of the above-identified application is Hitachi High-Technologies Corporation  
and the assignee consents to the correction of inventorship as set forth in the accompanying Amendment, adding Toshiyuki Yokosuka as a co-inventor with the originally named inventors.

Name of assignee

Hitachi High-Technologies Corporation

Signature

*Fumio Tomizawa*

Date

*Jan 27, 2005*

Typed or printed name and title of person signing for assignee (if assigned)

Fumio TOMIZAWA, General Manager, Intellectual Property Dept.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/106 (05-00)  
Approved for use through 10/31/02. OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## Declaration and Power of Attorney for Patent Application

### 特許出願宣言書及び委任状

### Japanese Language Declaration

#### 日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address, and citizenship are as stated next to my name.

下記の名前の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MASS SPECTROMETER SYSTEM

MASS SPECTROMETER SYSTEM

上記発明の明細書はここに添付されているが、下記の箱がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked:

☒ 05/20/2004 の日に出願され、  
この出願の米国出願番号または PCT 国際出願番号は、

☒ was filed on 05/20/2004  
as United States Application Number or  
PCT International Application Number

10/849,517 であり、且つ

10/849,517 and was amended on  
(if applicable).

の口に修正された出願（該当する場合）

私は、上記の修正書によって修正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第 37 編規則 1.56 に定義されている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Japanese Language Declaration

(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一団を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)(d)項又は第365条(a)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

## Prior Foreign Application(s)

Priority Not Claimed

優先権を主張なし

外国での先行出願

2002-230757 (Number) (番号)	Japan (Country) (国名)	8/August/2002 (Day/Month/Year Filed) (出願日/月/年)	<input checked="" type="checkbox"/>
2003-207425 (Number) (番号)	Japan (Country) (国名)	13/August/2003 (Day/Month/Year Filed) (出願日/月/年)	<input type="checkbox"/>

私は、ここに、下記はいかなる米国優特許出願についても、その米国法典第35編119条(a)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
(Application No.) (出願番号)	(Filing Date) (出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又本区を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、本特許請求の範囲第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.) (出願番号)	(Filing Date) (出願日)	(Status Patented, Pending, Abandoned) (現況: 特許許可、係属中、放棄)
(Application No.) (出願番号)	(Filing Date) (出願日)	(Status Patented, Pending, Abandoned) (現況: 特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Japanese Language Declaration

(日本語宣言書)

委任状: 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number).

## All practitioners at Customer No. 24998

## 書類送付先

Address associated with Customer Number 24998  
DICKSTEIN SHAPIRO MORIN & OSHINSKY  
LLP  
2101 L Street NW  
Washington, DC 20037-1526

## 直接電話連絡先: (氏名及び電話番号)

Mark J. Thronson, (202) 775-4742 (facsimile: (202) 887-0689)

## All practitioners at Customer No. 24998

## Send Correspondence to:

Address associated with Customer Number 24998  
DICKSTEIN SHAPIRO MORIN & OSHINSKY  
LLP  
2101 L Street NW  
Washington, DC 20037-1526

Direct Telephone Calls to:  
(name and telephone number)

Mark J. Thronson, (202) 775-4742 (facsimile: (202) 887-0689)

唯一または第一発明者氏名 Akihiro Sano	Full name of sole or first inventor Akihiro Sano
発明者の署名 日付	Inventor's signature Date <i>Akihiro Sano</i> 2/4/2005
住所 Hitachi, Japan	Residence Hitachi, Japan
国籍 Japan	Citizenship Japan
郵便の宛先 c/o Hitachi, Ltd., Intellectual Property Group 6-1, Marunouchi 1-chome Chiyoda-ku Tokyo; 100-8220; JAPAN	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group 6-1, Marunouchi 1-chome Chiyoda-ku Tokyo; 100-8220; JAPAN
第二共同発明者がある場合、その氏名 Atsumu Hirabayashi	Full name of second joint inventor, if any Atsumu Hirabayashi
第二共同発明者の署名 日付	Second inventor's signature Date <i>Atsumu Hirabayashi</i> 2/7/2005
住所 Kodaira, Japan	Residence Kodaira, Japan
国籍 Japan	Citizenship Japan
郵便の宛先 c/o Hitachi, Ltd. Intellectual Property Group 6-1, Marunouchi 1-chome; Chiyoda-ku; Tokyo; 100-8220; JAPAN	Post Office Address c/o Hitachi, Ltd. Intellectual Property Group 6-1, Marunouchi 1-chome; Chiyoda-ku; Tokyo; 100-8220; JAPAN

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Yasushi Terui 発明者の署名	日付	Full name of third joint inventor, if any Yasushi Terui	Inventor's signature <i>Yasushi Terui</i>	Date 2/18/2005
住所 Tsuchiura, Japan		Residence Tsuchiura, Japan		
国籍 Japan		Citizenship Japan		
郵便の宛先 c/o Hitachi High-Technologies Corporation 882, Ichige, Hitachinaka-shi Ibaraki; 312-8504; JAPAN		Post Office Address c/o Hitachi High-Technologies Corporation Naka Division, 882, Ichige, Hitachinaka-shi Ibaraki; 312-8504; JAPAN		

Kinya Kobayashi 発明者の署名	日付	Full name of fourth joint inventor, if any Kinya Kobayashi	Inventor's signature <i>Kinya Kobayashi</i>	Date 2/4/2005
住所 Hitachi, Japan		Residence Hitachi, Japan		
国籍 Japan		Citizenship Japan		
郵便の宛先 c/o Hitachi, Ltd. Intellectual Property Group 6-1, Marunouchi 1-chome; Chiyoda-ku; Tokyo; 100-8220; JAPAN		Post Office Address c/o Hitachi, Ltd. Intellectual Property Group 6-1, Marunouchi 1-chome; Chiyoda-ku; Tokyo; 100-8220; JAPAN		

Kiyomi Yoshinari 発明者の署名	日付	Full name of fifth joint inventor, if any Kiyomi Yoshinari	Inventor's signature <i>Kiyomi Yoshinari</i>	Date 2/24/2005
住所 Hitachi, Japan		Residence Hitachi, Japan		
国籍 Japan		Citizenship Japan		
郵便の宛先 c/o Hitachi, Ltd. Intellectual Property Group 6-1, Marunouchi 1-chome; Chiyoda-ku; Tokyo; 100-8220; JAPAN		Post Office Address c/o Hitachi, Ltd. Intellectual Property Group 6-1, Marunouchi 1-chome; Chiyoda-ku; Tokyo; 100-8220; JAPAN		

Kenko Uchida 発明者の署名	日付	Full name of sixth joint inventor, if any Kenko Uchida	Inventor's signature <i>Kenko Uchida</i>	Date 2/8/2005
住所 Tokyo, Japan		Residence Tokyo, Japan		
国籍 Japan		Citizenship Japan		
郵便の宛先 c/o Hitachi, Ltd., Intellectual Property Group 6-1, Marunouchi 1-chome Chiyoda-ku Tokyo; 100-8220; JAPAN		Post Office Address c/o Hitachi, Ltd., Intellectual Property Group 6-1, Marunouchi 1-chome Chiyoda-ku Tokyo; 100-8220; JAPAN		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Toshiyuki Yokosuka	Full name of seventh joint inventor, if any Toshiyuki Yokosuka
発明者の署名 日付	Inventor's signature Date <i>Toshiyuki Yokosuka</i> 2003/02/09
住所 Hitachi, Japan	Residence Hitachi, Japan
国籍 Japan	Citizenship Japan
郵便の宛先 c/o Hitachi, Ltd., Intellectual Property Group 6-1, Marunouchi 1-chome Chiyoda-ku Tokyo; 100-8220; JAPAN	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group 6-1, Marunouchi 1-chome Chiyoda-ku Tokyo; 100-8220; JAPAN

	Full name of eighth joint inventor, if any
発明者の署名 日付	Inventor's signature Date
住所	Residence
国籍	Citizenship
郵便の宛先	Post Office Address

	Full name of ninth joint inventor, if any
発明者の署名 日付	Inventor's signature Date
住所	Residence
国籍	Citizenship
郵便の宛先	Post Office Address

	Full name of tenth joint inventor, if any
発明者の署名 日付	Inventor's signature Date
住所	Residence
国籍	Citizenship
郵便の宛先	Post Office Address